

*Application No. 10/634370*  
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*Amendment*  
*Attorney Docket No. S63.2N-7132-US03*

**Amendments To The Drawings:**

The attached sheet of drawings includes changes to FIGs. 3-4. This sheet, which includes FIGs. 3-4, replaces the original sheet including FIGs. 3-4. In both figures, previously omitted element (mandrel) 200 has been added.

Attachment: Replacement Sheet With Changes

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#### **Remarks**

This Amendment is in response to the Office Action dated November 2, 2004, wherein claims 42-48 were withdrawn; claims 33-35 were rejected under §112, first paragraph; the drawings were objected to for not showing the mandrel recited in the claims; claims 33-37 and 39-41 were rejected under 35 U.S.C. §103(a) as being obvious over U.S. 5,807,520 to Wang et al (Wang) in view of U.S. 5,525,388 to Wand et al (Wand); and claim 33 and 38 were rejected under 35 U.S.C §103(a) as being obvious over Wang.

The following comments are presented in the same order and with paragraph headings corresponding to the Office Action.

#### **Election/Restriction**

The withdrawal of method claims 42-48 is acknowledged.

#### **Claim Rejections – 35 U.S.C. §112**

In the Office Action claims 33-35 were rejected under §112, first paragraph as failing to comply with the written description requirement. More specifically, the Office Action asserts and the specification and drawings fail to disclose a mandrel that rotates. In response, Applicants note that on page 9 of the specification as originally filed, in relation to the embodiment depicted in FIG. 4 it is stated that a "mandrel may also be used in place of or in addition to the die for support as needed." (see page 9, lines 11-12)

The more general concept of material removal from a balloon segment is shown in FIG. 3, with FIG. 4 depicting a more specific embodiment wherein material removal is accomplished with a bench top grinder (page 9, lines 4-6). In FIG. 3 it is made clear that during the grinding process the segment 120 will rotate as a result of its contact with the wheels 154 and 158 (see page 8, lines 16-22). Based on the above, it will be clear to one of ordinary skill in the art that if the segment 120 is supported by a mandrel, as the specification provides, such a mandrel will inherently be capable of rotation.

To clarify the use of a mandrel Applicants have amended the specification and drawings as indicated above.

In light of the above, the rejection is respectfully overcome.

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### Drawings

In the Office Action the drawings were objected to as not showing every feature of the invention specified. As discussed above, Applicants have amended FIGs. 3 and 4 to include a rotatable mandrel 200.

### Claim Rejections—35 USC § 103

In the Office Action, claims 33-37 and 39-41 were rejected under § 103(a) as being obvious over Wang in view of Wand. More specifically, the Office Action asserts that Wang teaches that it is well known to reduce balloon waist thickness and balloon cone/tapered portion thickness, and that Wand discloses a method of thinning a balloon tapered portion by machining or abrading, and that further it would be obvious to use a grinding machine to thin a balloon material in the process as recited in the claims.

In response, Applicants note that even if it is assumed *arguendo* that the assertions recited above are true, it must be noted that the references fail to teach or suggest all of the elements of the instant claims. Instant claim 33 for example certainly does describe a method wherein material is removed from at least one of the proximal shaft and distal shaft sections, but it must also be recognized that the claim recites that the removal of material results in the formation of “a shaft section having a first portion with a substantially uniform first diameter and a second portion with a substantially uniform second diameter, *different than the first diameter*.” (emphasis added). Neither Wand nor Wang teach or suggest a method of removing material from a balloon which includes this step.

Both Wang and Wand seek to provide balloons with *uniform* or *constant* wall thickness (Wang: column 2, lines 25-33; Wand: column 2, lines 46-47). Nowhere do the references, alone or in combination, teach or suggest a method of removing material from a balloon wherein removal of said material is to form “a shaft section having a first portion with a substantially uniform first diameter and a second portion with a substantially uniform second diameter, *different than the first diameter*” as the instant claims recite.

In light of the above the rejections is respectfully traversed.

In regard to the rejection of claims 33 and 38, under § 103(a) based on Wang alone, the comments provided above respectfully traverse the rejection

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**Conclusion**

In view of the foregoing, Applicants believe that the present application, with claims 33-41 is in condition for allowance. Favorable consideration and prompt action to that effect is sincerely requested.

Should the Examiner believe that anything further would be desirable in order to place the application in better condition for allowance, the Examiner is invited to contact the Applicants' undersigned representative at the telephone number listed below.

Respectfully submitted,

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